

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:23-cv-00014-SPG-KES

Date: April 7, 2023

Title: HENRY L. THOMPSON v. KILOLO KIJAKAZI

PRESENT:

THE HONORABLE KAREN E. SCOTT, U.S. MAGISTRATE JUDGE

Jazmin Dorado
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR
DEFENDANT:
None Present

PROCEEDINGS (IN CHAMBERS):

**Order to Show Cause Why Case
Should Not Be Dismissed for Lack of
Prosecution**

On January 3, 2023, Plaintiff filed a complaint alleging that Defendant wrongly denied his application for social security disability benefits. (Dkt. 1.) Social Security cases filed on or after December 1, 2022, are governed by the new Supplemental Rules for Social Security Actions under 42 U.S.C. § 405(g). The new Supplemental Rules can be found online at https://www.supremecourt.gov/orders/courtorders/frcv22_b8dg.pdf

Under Rule 4, Defendant must file an answer including a certified copy of the administrative record. Defendant did so in this case on March 6, 2023. (Dkt. 8.)

Under Rule 6, Plaintiff must file and serve a brief for the requested relief within 30 days after the answer is filed. Plaintiff's 30-day filing deadline expired on Wednesday, April 5, 2023. The Court has received neither Plaintiff's brief nor a request from Plaintiff to extend the time to file a brief.

The Court, therefore, issues this order to show cause ("OSC") why Plaintiff's case should not be dismissed for failure to comply with the applicable rules and failure to prosecute the case by filing a timely brief. Plaintiff can discharge this OSC by (1) filing a brief **on or before April 19, 2023**, or (2) requesting an extension of time to file a brief supported by good cause. Good causes means that Plaintiff must explain (1) why, despite diligent efforts after receiving the administrative record, he could not file a brief by the deadline, (2) how much additional time he

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needs to file his brief, and (3) why he needs that much additional time. The Court has discretion to grant or deny requests for additional time.

For guidance writing his brief, Plaintiff may visit the Court's website at <http://www.cacd.uscourts.gov/>. There, he will find instructions under the "Judges' Requirements" tab, looking at the "Judges' Procedures and Schedules" for Judge Scott addressing social security cases. On the Court's main webpage, he will also see a box labeled "People without Lawyers." The box has information about how non-lawyers can use the Court's Electronic Document Submission System ("EDSS") and phone numbers to reach the "Pro Se Clinic" at each federal courthouse. The Pro Se Clinic is staffed by volunteer lawyer can assist Plaintiff and answer questions (such as how to format his brief, the applicable word count limit, etc.).

Initials of Deputy Clerk JD